

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

SILVIO ORTEGA-HERRERA,
a/k/a ELADIO HERRERA,
a/k/a OSCAR DIAZ,
a/k/a SILVIO ORTEGA

) 05-CR-16071-RWZ
) CRIMINAL NO.
)
) VIOLATION:
) 8 U.S.C. § 1326
) Illegal Re-entry of
) Deported Alien
)

INDICTMENT

COUNT ONE: 8 U.S.C. §1326 - Illegal Re-entry of Deported Alien

The Grand Jury charges that:

On or about February 23, 2005, at Cambridge, in the District
of Massachusetts,

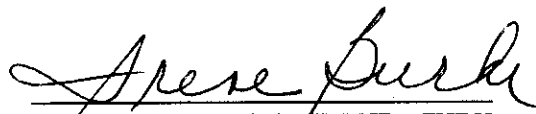
SILVIO ORTEGA-HERRERA,
a/k/a ELADIO HERRERA,
a/k/a OSCAR DIAZ,
a/k/a SILVIO ORTEGA,

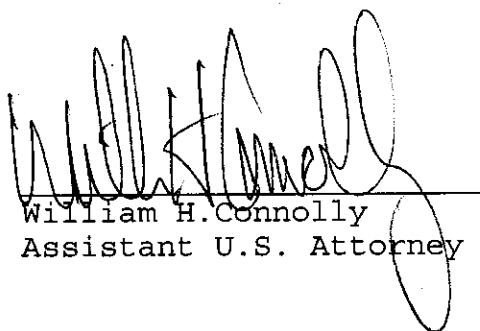
defendant herein, being an alien and having been excluded,
deported and removed from the United States, attempted to enter,
entered, and was found in the United States without having
received the express consent of the United States Attorney
General prior to March 1, 2003, or the express consent of the
Secretary of the Department of Homeland Security since that date,
to reapply for admission to the United States.

All in violation of Title 8, United States Code, Sections
1326(a) and (b)(2) and Title 6, United States Code, Sections

202(3) and (4) and Section 557.

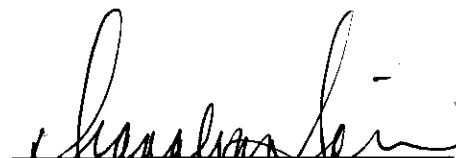
A TRUE BILL


FOREPERSON OF GRAND JURY


William H. Connolly
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS, Boston, March 23, 2005.

Returned into the District Court by the Grand Jurors and filed.


Deputy Clerk 2:30pm

JS 45 (5/97) - (Revised USAO MA 3/25/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: _____ Category No. II Investigating Agency ICE

City Cambridge Related Case Information: 05-cr-10071-RWZ

County Middlesex Superseding Ind./ Inf. _____ Case No. _____

Same Defendant X New Defendant _____

Magistrate Judge Case Number 05-0426-RBC

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:

Defendant Name Silvio Ortega-Herrera Juvenile ☐ Yes ☒ No

Alias Name Eladio Herrera, Oscar Diaz, Silvio Ortega

Address 10 Soden Street, Cambridge, MA

Birth date: 1969 SS#: _____ Sex: M Race: Hispanic Nationality: Colombia

Defense Counsel if known: Edward Ryan Address: O'Connor & Ryan

61 Academy Street, Fitchburg 01420

Bar Number: _____

U.S. Attorney Information:

AUSA William H. Connolly Bar Number if applicable 634501

Interpreter: ☒ Yes ☐ No List language and/or dialect: Spanish

Matter to be SEALED: ☐ Yes ☒ No

☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date: _____

☒ Already in Federal Custody as pretrial detainee in Plymouth

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 3/23/05 Signature of AUSA: William H. Connolly

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy)

Name of Defendant Silvio Ortega Herrera

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>8 U.S.C. § 1326(a)</u>	<u>Illegal Reentry of Deported Alien</u>	<u>1</u>
Set 2			
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

District Court Case Number (To be filled in by deputy) _____

Name of Defendant **Silvio Ortega Herrera**

JS 45.wpd - 3/13/02